

## D. Remarks

Rejection of Claims 1-2 and 25 Under 35 U.S.C. §103(a), based on *Liaw* (USP 5,807,779) in view of Applicant's Background Art (*Background Art*).

5 Claim 1 has been amended to include the limitations of claim 25.

The semiconductor device structure on a silicon substrate of amended claim 1 includes a contact, a gate electrode, an insulating film, and a silicon nitride film for preventing carbon diffusion. The contact penetrates an interlayer insulating film and is connected with a diffusion layer in the silicon substrate. The gate electrode is formed on the silicon substrate and contains a nitride film at upper and side portions. The insulating film is formed from a gas containing carbon. The silicon nitride film for preventing carbon diffusion has a portion sandwiched between the interlayer insulating film and the silicon substrate and adjacent to the gate electrode in a direction essentially parallel to a substrate surface, such a sandwiched portion having a thickness in a direction perpendicular to the substrate surface that is less than a thickness of the gate electrode in the perpendicular direction, the silicon nitride film traversing a region except a portion for providing the electrical connection between the contact and the diffusion layer, and is formed on the nitride film at the upper and side portions of the gate electrode wherein the silicon nitride film for preventing carbon diffusion includes a portion having a bottom surface in contact with and extending parallel to the diffusion layer away from the gate electrode and a top surface in contact with the interlayer insulating film.

As is well established, a prima facie case of obviousness requires a rejection to meet three basic criteria. First, there must be some suggestion or motivation to modify a reference or combine reference teachings. Second, there must be a reasonable expectation of success. Finally, the prior art reference(s) must teach or suggest all claim limitations.<sup>1</sup>

25 *Liaw* does not teach or suggest the silicon nitride film for preventing carbon diffusion including a portion having a bottom surface in contact with the diffusion layer as required in amended claim 1.

*Liaw* discloses a tungsten layer 15 (alleged to correspond to Applicant's contact of claim 1) connected to a doped source/drain region (argued to correspond to Applicant's diffusion layer). *Liaw* also discloses a silicon nitride layer 9 (alleged to correspond to applicant's silicon

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<sup>1</sup> MPEP §2143.

nitride film for preventing carbon diffusion). However, in *Liaw* the silicon nitride layer does not have a bottom portion "in contact with the diffusion layer", as recited in amended claim 1.

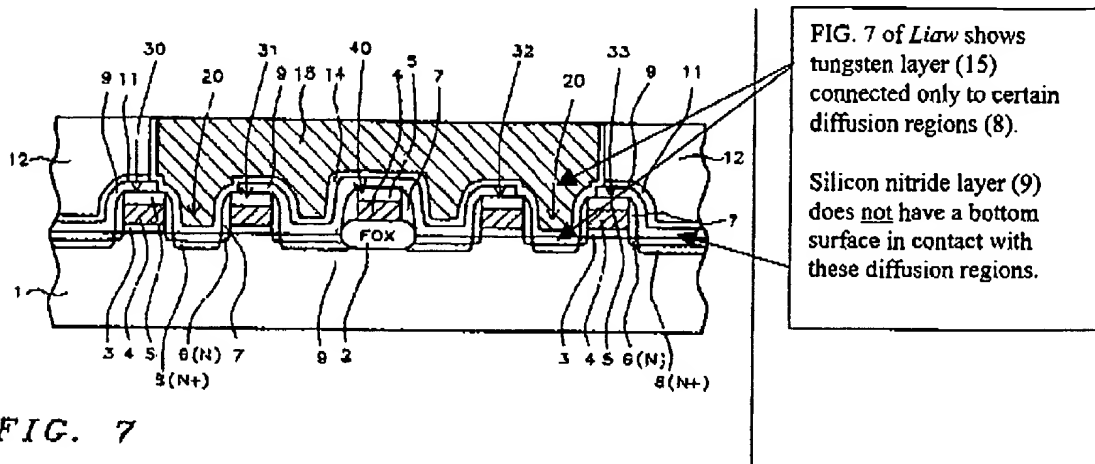


FIG. 7

5 The other reference relied upon does not show such a limitation, either.

Applicant's *Background Art* shows conventional silicon nitride side walls (24 or 40) formed on the side of a word line and bit line. However, such side walls do not have a portion parallel to a diffusion region, as recited in amended claim 1.<sup>2</sup>

Accordingly, because the combination of references does not show or suggest all the  
10 limitations of Applicant's amended claim 1, a prima face case of obviousness is not believed to exist, and this ground for rejection is traversed.

<sup>2</sup> See Applicant's Specification, FIG. 16 and 17. Side wall 24 (of FIG. 16) and side wall 40 (of FIG. 17) only have vertical portions.

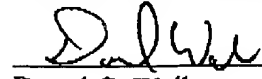
**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Claim 1 has been amended and claim 25 has been cancelled.

The present claims 1 and 2 are believed to be in allowable form. It is respectfully requested that the application be forwarded for allowance and issue.

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Respectfully Submitted,

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